

REMARKS

Claims 1-16 are pending. Claims 4, 8, 9 and 16 are allowed. Claims 7 and 15 are objected to.

The previous rejection of claims 1-3, 5, 6 and 10-14 under 35 U.S.C. 102(b) as being anticipated by Truex (US 4,934,366) has been withdrawn.

Also, the rejection of claims 1-2 and 10-11 as being anticipated by Kinney (US 4,262,673) has been withdrawn. Further, the rejection of claims 3 and 12 as being obvious from Kinney has been withdrawn.

The rejection of claims 1, 5, 6, 10 13, and 14 as being obvious from Ries (Pub. 2005/013481) has been maintained. The contention is that because the set screw 160 has a socket 170 that extends substantially the full length of the set screw, a flow passage is provided. The examiner cites to paragraphs [0082] and [0083], which refer to Figs. 9 and 11.

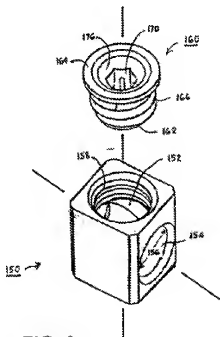
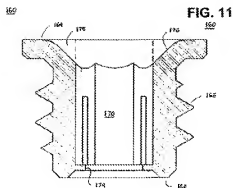


FIG. 9



Applicant previously pointed out that the claims require that the flow passage structure in the retention element *extend through the retention element body between a tool engagement portion at one end and a connector contact terminal engagement portion at the opposite end*. This feature is illustrated in Fig. 2C.

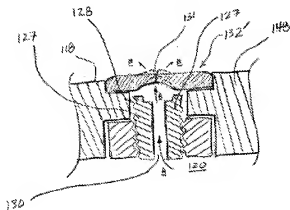


FIG. 2C

Applicant argued that Ries is distinguishable because the socket (i.e., tool engagement portion) extends the full length of the set screw body. In response to Applicant, the office action merely states that it is inherent that air could escape through passage 170. That begs the question. The office action fails to address the specific structural recitation set forth in claims 1 and 10. The comment in the office action at paragraph 3, page 3, that Ries does not specifically disclose a flow passage but air could inherently

flow through the disclosed stop ring 174 indicates that the office action suffers a misunderstanding as to the structural novelty of the present invention over Ries.

The claim limitation of interest is that of:

the retention element having a body portion with a tool engagement portion at one end and a connector contact engagement portion at the opposite end, the retention element body including a flow passage extending between the tool engagement portion and the connector contact engagement portion

This limitation is absent in Ries regardless of whether air can flow through the ring stop 174. The office action comments and the rejection based on Ries does not meet the clearly stated structure set forth in claims 1 and 10. The rejection of claims 1, 5, 6, 10, 13, and 14 as being obvious from Ries should be withdrawn as being insufficient to establish a *prima facie* case of obviousness.

Applicant notes the objection to the replacement drawings but is unable to identify exactly what feature is deemed to be missing from the drawings. Applicant requests further clarification by identification of the depiction in the original drawings that is now considered to be absent.

Applicant respectfully asserts that the present claims are in condition for allowance. Issuance of a Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date

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